MAURITIUS

a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
I. TERRITORIAL SEA	Apr 70	Territorial Seas Act	12nm	
	Aug 77	Maritime Zones Act No. 13 & Proclamation No. 7	12nm	Foreign warships must give notification prior to transiting territorial sea. This requirement is not recognized by the U.S. U.S. protested requirement in 1982.
II. ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Apr 70	Territorial Seas Act		Established a single straight baseline, see LIS No. 41.
	Aug 77	Maritime Zones Act		Enabling legislation authorizing designation of historic waters.
IV. CONTINENTAL SHELF	Apr 70	Continental Shelf Act	1958 DEF	
	Aug 77	Maritime Zones Act	CM/ 200nm	Claimed "full and exclusive sovereign rights in respect of" continental shelf.
	Aug 77	Proclamation No. 7	CM/ 200nm	
V. FISHING ZONE/EEZ	Aug 77	Maritime Zones Act	200nm	EEZ: claimed exclusive jurisdiction over structures/installations and "devices" and over scientific research; authorized designation of areas in which passage of foreign ships may be regulated; consent required for course of cables or pipelines.
	Aug 77	Proclamation No. 7	200nm	EEZ
	Dec 84	Maritime Zones (EEZ) regulations		Geographic coordinates limiting the EEZ; appeared to require warships and submarines to obtain GOM permission before transiting EEZ. This requirement is not recognized by the U.S.
VI. ENVIRONMENTAL REGULATION	Aug 77	Maritime Zones Act	200nm	Exclusive jurisdiction to prevent and control pollution claimed within EEZ.
VII. MARITIME BOUNDARIES	Apr 80	Agreement		Maritime boundary agreement with France (Reunion) EIF; see LIS No. 95.
VIII. LOS CONVENTION	Dec 82			Signed.
	Nov 94			Ratified and bound by Part XI Agreement.

b. DOMESTIC LEGISLATION AND REGULATIONS

1. STRAIGHT BASELINES

A. LEGISLATION. Following are extracts from the Territorial Seas Act of the Government of Mauritius of 1970:

5. The baseline shall be the line of low water mark along the coast:

Provided that:--

(a) (i) where the coast is so indented as to form a bay which does not exceed twenty-four nautical miles in breadth; or

(ii) where the coast is deeply indented and cut into, the baseline shall be a straight line joining the furthest points seaward in the line of low water mark at the natural entrance points of the bay or of the indentation, as the case may be;

(b) where islands are so situated in relation to one another as to form an archipelago, the baseline shall be straight lines joining points in the line of low water mark of the outermost islands and those points shall be so chosen as to enclose, when joined together by straight lines, the maximum area of sea;

(c) where a low tide elevation or an island is, either in whole or in part, within twelve miles of the line of low water mark along the coast or of the baseline as described in paragraph (a) or (b) of this proviso, the baseline shall be straight lines joining points in the line of low water mark of the coast and of the island or of the low tide elevation, as the case may be, and those points shall be so chosen as to enclose, when joined together by straight lines, the maximum area of sea.

B. ANALYSIS The following explanatory notes are extracted from Limits in the Seas, No. 41, "Straight Baselines: Mauritius," 7 March 1972:

The state of Mauritius comprises the following territories:

a) the principal island of Mauritius and its adjacent islets;

b) Rodrigues Island, a coralline near-atoll situated approximately 300 nautical miles eastward from Mauritius;

c) The Cargados Carajos Shoals, a true atoll situated approximately 200 nautical miles north-northeast of Mauritius; and

d) the Agalega Islands, two narrow, linearly-aligned islands situated nearly 650 nautical miles north of Mauritius.

The Territorial Seas Act, 1970, extended the Mauritian territorial sea to 12 nautical miles and permitted the establishment of straight baselines. Sections 5 (a) and (b) of the Act provide the specific language for the drawing of a straight-baseline system. However, two problems exist as to the Act's language: 1) it is not specific enough to draw single sets of baselines, and 2) there is no reference to atolls, and several of the island groups of Mauritius are atolls.

The reefs, which normally form an important part of any atoll, are naturally "dry" during certain tidal conditions. These drying points, which unfortunately are never charted with great accuracy since the entire reef constitutes a hazard to normal navigation, can serve as low-tide elevations for the measurement of the sea. Under Section 5 (b) these points may also be basepoints for the straight-baseline system, although under the Convention on the Territorial Sea and Contiguous Zone, however, they may not be utilized unless a permanent structure, such as a lighthouse, has been constructed on them. (Mauritius is a party to the Convention.)

The isolation, small size, and the nature of the islands of the state of Mauritius preclude their treatment as an oceanic "archipelago." As a result, the system of straight baselines must apply to the individual groups as defined.

The main Mauritian group could use a straight-baseline system which would connect Mauritius with the adjacent islands of the Flat and Round, situated less than 12 nautical miles distance to the north based on normal state practices. The effect of such a system would be to increase the internal waters of the state slightly but it would not appreciably affect the extent of territorial waters.

The Rodrigues group is difficult to assess. The main island is oval in shape; its principal axis extends east-west and measures approximately 10 nautical miles. The transverse axis is roughly 5 miles. An extensive, circular coral reef (c. 14 nautical miles in diameter) surrounds the main island which is situated to the northeast of the reef center. The shelf is dotted with thirteen small islands. As with most reefs, the Rodrigues reef will dry in patches during the low-water spring tides. However, if the seaward

edge of the reef is used for the baseline of the territorial sea, straight baselines joining the islets and Rodrigues would have no effect on the extent of the territorial waters.

The Cargados Carajos Shoals constitute the most complicated insular formation of Mauritius. The main shoal is a bow-shaped coral reef which is aligned north-south. The arc of the bow faces eastward. Inside of the reef a linear arrangement of islets (motus) exists in the south, elsewhere they are scattered randomly. In total, nearly 40 islands are situated on the reef. In addition, two detached islands, North and Albatros, lie north of the reef while three, Siren, Pearl, and Frigate are to the west of it.

By the definitions used in the Act, straight baselines could be drawn among the islands and motus or by connecting drying points on the reef. These drying points, as stated, are never charted specifically. However, using the high-tide locations, straight baselines could be constructed to connect the Coco group in the south with Frigate (perhaps via the Baleine Rocks) and then connected to Pearl. This generally northerly line could then extend north-eastward to Siren (via the Pearl Breakers?) and to an unnamed island at the northern extremity of the reef. Northward, the system could attach to Albatros. From here, the "finger" of internal waters could be included by a return segment to North Island, an unnamed island on the reef, Mapare, and thence along the linear motus of the main atoll to the Coco group again. All of these segments of straight baselines would measure less than 12 nautical miles in length. As with Rodrigues, however, the effect of such a system would not increase the territorial sea greatly if the reef would constitute the normal territorial sea baseline.

The two Agalega Islands could be connected by two short segments which would have little effect on the territorial sea.

c. MARITIME BOUNDARIES

MARITIME BOUNDARY AGREEMENT FRANCE-MAURITIUS

Article 2

The line [delimiting the economic zone between Reunion and Mauritius] is defined by points P1, P2, P3, P4, P5, P6, and P7, the coordinates of which are given in Annex I.

Annex I

Point	Latitude (S)	Longitude (E)
P1	18° 17' 11"	55° 30' 20"
P2	19° 00' 49"	55° 50' 45"
P3	20° 04' 57"	56° 17' 39"
P4	20° 35' 55"	56° 27' 44"
P5	21° 18' 19"	56° 50' 09"
P6	22° 00' 32"	57° 14' 40"
P7	23° 48' 05"	58° 14' 23"